



501.41142X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): K. OGAWA, et al
Serial No.: 10/073,967
Filed: February 14, 2002
For: DISPLAY DEVICE (as amended)
Group: 2871
Examiner: M. Ton

RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 27, 2004

Sir:

The following remarks are respectfully submitted in connection with the above-identified application in response to the Office Action dated September 30, 2004.

As to the requirement for restriction to one of the inventions identified by the Examiner as invention I - claims 1-3, drawn to particular and distinct details/relationship of the anisotropic conductive film(s) and the terminals, classified in class 349, subclass 151; invention II - claim 4, drawn to particular and distinct details of the anisotropic conductive film formed separately for at least each one of the film carrier, classified in class 349, subclass 150; and invention II (apparently invention III) - claim 14, drawn to particular and details of the terminals of the PCB and the film carrier disposed in rows, classified in class 349, subclass 152; such requirement is traversed as being improper and based upon an arbitrary selection of the subclass by the Examiner.

Applicants note that each of subclasses 150-152 fall under the subclass 149 of class 349 of "having connection detail to external circuit", and subclass 150 provides for "featuring flexible circuit". Assuming arguendo that a flexible circuit is provided by the recitation of a "film carrier", each of inventions I, II and III recite the feature of a "film carrier" and thereby fall within subclass 150. Subclass 151 is another subclass under subclass 149 of "with driving circuit having input and output electrodes on liquid crystal substrate". Although the Examiner contends that invention II is distinguishable from invention I and invention III, applicants submit that the recitation in invention II - claim 4 of "terminals of each of the film carrier being respectively connected to terminals of the printed circuit board by an anisotropic conductive film correspond to the features of claim 3 of invention I of "terminals of the film carrier being respectively connected to terminals of the printed circuit board by an anisotropic conductive film" and the features of claim 14 of invention III of "terminals of the film carrier being connected to terminals of the printed circuit board by an anisotropic conductive film". Thus, inventions I-III recite similar features which apparently could be classified in subclass 151 which features, of the inventions, could also be classified in subclass 150. With respect to subclass 152, which again is under subclass 149 and is directed to "with details of terminals to external circuit", it is noted that the invention I recite such features in terms of a spacing of adjacently disposed terminals, invention II recite such features in terms of a plurality of semiconductor devices of the film carrier type respectively mounted on a film carrier and the anisotropic conductive film being formed separately for at least each one of the film carrier, such that hereagain, applicants submit that inventions I-III could also be considered to fall within subclass 152. As such, it is apparent that the Examiner has arbitrarily assigned a subclass to the different inventions, which is not proper, such that the requirement for restriction based upon separate status in the art is improper and should be withdrawn.

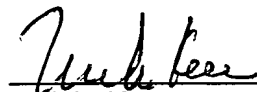
As to the Examiner's contentions concerning the inventions being related as subcombinations which are considered to be distinct from each other if they are shown to be separately usable, applicants note that the requirement for separate utility relates to the subcombination as claimed, and each of the inventions I-III recite a display device having particular features, such that the utilization of the display devices, as suggested by the Examiner, do not relate to the claimed invention, and separate utility cannot be shown for such display devices, as claimed. Accordingly, the Examiner's contentions concerning distinctness as well as the Examiner's contentions concerning different classification is improper, such that the requirement for restriction should be withdrawn.

In order to provide a complete response to the restriction requirement, applicants provisionally elect, with traverse, invention II including claim 4.

For the foregoing reasons, applicants submit that the requirement for restriction is improper and should be withdrawn, and action with respect to all claims under consideration are respectfully requested.

To the extent necessary, applicant's petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (501.41142X00) and please credit any excess fees to such deposit account.

Respectfully submitted,



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